

and Stearns in Minnesota, by an Act of Congress approved October 9, 1940, is hereby extended three years from October 9, 1943.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 1, 1944.

[CHAPTER 223]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Calcasieu River at or near Lake Charles, Louisiana.

54 Stat. 1061.

June 1, 1944

[H. R. 4054]

[Public Law 326]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Calcasieu River, at or near Lake Charles, authorized to be built by the State of Louisiana, by an Act of Congress approved June 22, 1943, are hereby extended two and four years, respectively, from June 22, 1944.

Calcasieu River.
Time extended for
bridging, at Lake
Charles, La.

57 Stat. 160.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 1, 1944.

[CHAPTER 224]

AN ACT

To provide for regulation of certain insurance rates in the District of Columbia, and for other purposes.

June 1, 1944

[S. 1029]

[Public Law 327]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in this Act, unless the context otherwise requires—

Insurance rates,
D. C.

“District” means the District of Columbia;

“District.”

“Superintendent” means the superintendent of insurance of the District of Columbia;

“Superintendent.”

“Company” means any insurer, whether stock, mutual, reciprocal, interinsurer, Lloyd’s, or any other form or group of insurers;

“Company.”

“Agent” means and shall include any individual, co-partnership, or corporation acting in the capacity of or licensed as a “policy-writing agent”, “soliciting agent”, or “salaried company employee”, as defined under section 3, chapter I, of the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1064; D. C. Code, 1940 edition, title 35, sec. 1303); and

“Agent,” terms in-
cluded.

“Broker” means any person who for a consideration acts or aids in any manner in the solicitation or negotiation on behalf of the assured of contracts of insurance.

“Broker.”

SEC. 2. The provisions of this Act shall apply to insurance in the District of Columbia against loss of or damage to property or any valuable interest therein by or as a consequence of fire, lightning, tornado, windstorm, and explosion, or any one or more of such hazards, including all supplemental, additional, or extended forms of coverage written in connection with fire insurance, and including any policy which insures property, while it is at a permanent location, against the hazard of fire, lightning, tornado, windstorm, or explosion; but this Act shall not apply to ocean marine, transportation, boiler and machinery, or motor-vehicle insurance, nor to insurance covering the property of interstate common carriers, nor to any form of insurance designated by the Superintendent as inland marine insurance.

Application.

SEC. 3. The Superintendent is empowered to investigate the necessity for an adjustment of the rates on any or all risks or classes of risks within the scope of this Act, and to order an adjustment of such rates whenever he determines, after investigation of the experience

Exceptions.

Rate adjustments.

showing premiums and losses for a period of not less than five years next preceding such investigation, that the rates for any one or more classes of risks are excessive, inadequate, or unreasonable. In determining the necessity for an adjustment of rates, the Superintendent shall give consideration to all factors reasonably attributable to the risks, to the conflagration or catastrophe hazard, both within and without the District, and to a reasonable profit. The Superintendent is also empowered, after investigation, to order removed, at such time and in such manner as he shall specify, any unfair discrimination existing between individual risks or classes of risks.

Any person, firm, or corporation aggrieved by any order, ruling, proceeding, or action of the Superintendent, or any person acting in his behalf and at his instance, may appeal to the Commissioners of the District, or contest the validity of such order, ruling, proceeding, or action in any court of competent jurisdiction by appeal or through any other appropriate proceedings, as provided under sections 44 and 45, chapter II, Public, Numbered 824, Seventy-sixth Congress, known as the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1082; D. C. Code, 1940 edition, title 35, secs. 1348 and 1349).

SEC. 4. Within one hundred and twenty days after the approval of this Act and under the supervision of the Superintendent, the insurance companies authorized to effect insurance in the District against the risk of loss or damage by hazards within the scope of this Act shall organize a rating bureau for the purpose of administering rates for such insurance, and all such companies now or hereafter authorized to transact such business in the District shall be members of such bureau. The government of the rating bureau shall be vested in its members and it shall not be subject to the direction or control of any other bureau, association, corporation, company, individual, or group of individuals. The rating bureau shall have power to establish reasonable agreements and bylaws for its governance, and shall be permitted to adopt reasonable rules and regulations necessary to carry out its functions, but such agreements, bylaws, rules, and regulations shall not be inconsistent with the provisions of this Act, and the same and amendments thereto shall be approved by the Superintendent before becoming effective. The rating bureau, subject to the approval of the Superintendent, shall apportion the expenses of its operation among its members in proportion to the premium income on risks in the District.

SEC. 5. No company, agent, or broker shall issue or deliver, or offer to issue or deliver, or knowingly permit the issuance or delivery of, any policy of insurance in the District which does not conform to the requirements approved by the Superintendent: *Provided, however,* That a company may deviate from such requirements if the company has filed with the rating bureau and with the Superintendent the deviation to be applied, and provided such deviation is approved by the Superintendent. If approved, the deviation shall remain in force for a period of one year from the date of approval by the Superintendent, unless such approval is withdrawn by the Superintendent for cause after notice to the insurer, or withdrawn by the insurer with the approval of the Superintendent.

It is further provided that a rate in excess of that promulgated by the rating bureau may be charged, provided such higher rate is charged with the knowledge and written consent of the insured and the Superintendent.

SEC. 6. The rating bureau shall keep a record of all rates, schedules, and proceedings. Every agent shall keep a record of every policy contract issued by or through his agency.

Factors to be considered.

Appeal from Superintendent to Commissioners.

Appeal to court.

Rating bureau. Organization, purposes, etc.

Powers.

Apportionment of expenses.

Policies to conform to requirements.

Deviations.

Excess rates.

Records.

SEC. 7. The Superintendent, his deputy, or duly authorized examiner, is authorized and empowered to examine all records of the rating bureau, companies, and agents, and to require every company to furnish statistical reports of premiums and losses in such form and according to such classifications as the Superintendent shall prescribe and any other information which the Superintendent may deem necessary for the administration of this Act. The Superintendent may require the rating bureau to consolidate the reports of classified experience.

Examinations.

SEC. 8. No rate, premium, schedule, rating method, rule, bylaw, agreement, or regulation shall become effective or be charged, applied, or enforced in the District by the rating bureau, or by any company, agent, or broker governed by the provisions of this Act, until it shall have been first filed with and approved by the Superintendent: *Provided*, That a rate or premium used or charged in accordance with a schedule, rating method, or rule previously approved by the Superintendent need not be specifically approved by the Superintendent. No company, agent, or broker shall issue any form of policy, clause, warranty, rider, or endorsement until such form shall have been filed with and approved by the Superintendent.

Filing and approval of rate, etc.

SEC. 9. Any company or any agent or broker guilty of violating any of the provisions of this Act shall be subject to the provisions of sections 3 and 36, respectively, and as may be amended, of chapter II, Public, Numbered 824, Seventy-sixth Congress, known as the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1066 and 1079; D. C. Code, 1940 edition, title 35, secs. 1306 and 1340).

Penalty.

SEC. 10. All laws or parts of laws, insofar as they relate to business affected hereby and in conflict with any of the provisions of this Act, are hereby repealed.

Ante, p. 192.

Repeals.

SEC. 11. Should any section or provision of this Act be decided by the courts to be unconstitutional or invalid, the validity of the Act as a whole, or of any part thereof, other than the part decided to be unconstitutional, shall not be affected.

Saving clause.

Approved June 1, 1944.

[CHAPTER 233]

AN ACT

To amend section 451 of the Tariff Act of 1930, and for other purposes.

June 3, 1944

[S. 1758]

[Public Law 328]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 451 of the Tariff Act of 1930, as amended (U. S. C., title 19, sec. 1451), is hereby amended by inserting before the period at the end thereof the following: "*Provided*, That the provisions of this section, sections 450 and 452 of this Act, and the provisions of section 5 of the Act of February 13, 1911, as amended (U. S. C., title 19, sec. 267), insofar as such section 5 requires payment of compensation by the master, owner, agent, or consignee of a vessel or conveyance, shall not apply to the owner, operator, or agent of a highway vehicle, bridge, tunnel, or ferry, between the United States and Canada or between the United States and Mexico, nor to the lading or unlading of merchandise, baggage, or persons arriving in or departing from the United States by motor vehicle, trolley car, on foot, or by other means of highway travel upon, over, or through any highway, bridge, tunnel, or ferry. At ports of entry and customs stations where any merchandise, baggage, or persons shall arrive in or depart from the United States by motor vehicle, trolley car, on foot, or by other means of highway travel upon, over, or through any highway, bridge, tunnel, or ferry, between the United States and Canada or between the United States and Mexico, the collector, under such regulations

Tariff Act of 1930,
amendments.
46 Stat. 715.

19 U. S. C. §§ 1450,
1452.
36 Stat. 901.

Inspection at ports
of entry and customs
stations.

Assignment of cus-
toms officers, etc.